

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH E. BERRY,

Plaintiff,

v.

CITY OF TACOMA, et al.,

Defendants.

CASE NO. C10-5711RJB/JRC

ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY

This 42 U.S.C. § 1983 civil rights action has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and(B) and Local Magistrate Judges' Rules MJR 1, MJR 3, and MJR 4.

The matter is before the court on plaintiff's motion to compel discovery (ECF No. 15). Defendants have responded and argue the motion should be denied because it has not been thirty days since plaintiff provided additional information needed. Defendant's position is that the motion is untimely and unfounded (ECF No. 19).

Defendants' argument is persuasive. For the reasons set forth in defendants' response, the motion to compel is DENIED.

DATED this 18th day of January, 2011.



J. Richard Creatura
United States Magistrate Judge